

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

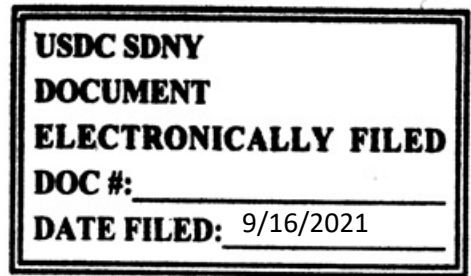
CURTIS McDANIEL,

Plaintiff,

-against-

THE PEOPLE OF THE STATE OF NEW YORK, et
al,

Defendants.



1:19-CV-7680 (AJN) (KHP)

ORDER

CURTIS McDANIEL,

Plaintiff,

-against-

NYC FIRE DEPARTMENT, NYC POLICE
DEPARTMENT, JOHN and JANE DOES 1-7,
CITY OF NEW YORK,

Defendants.

KATHARINE H. PARKER, United States Magistrate Judge:

Plaintiff is permitted to file a corrected Third Amended Complaint, which will be the operative complaint. Plaintiff shall file his amended pleading by October 16, 2021. No further amendments will be permitted.

The Third Amended complaint will include all of the Defendants listed in the prior complaints and the new officers who were identified in response to the Court's Valentin orders. The Defendants to be listed are: The People of the State of New York, Judge Charlotte E. Davidson, A.D.A. Breen Lauren, Nicholas Evangelista, Julian Febres, Judge Ann D. Thompson, John Doe Warden, The People of the City of New York, City of New York, Christopher Bobell,

William Kelly, Edwin Sanchez, Steven Rathjen, Judge A. Drysdale, Rosanna Espinal, Judy Biondolillo, and the New York City Fire Department. To the extent that Plaintiff does not include a Defendant listed above, the Court will presume that Plaintiff is not pursuing claims against that Defendant(s).

On April 29, 2021, pursuant to a Valentin order, defense counsel identified the six male officers that were present for Plaintiff's arrest on July 11, 2018 as: Nicholas Evangelista, Julian Febres, Christopher Bobell, William Kelly, Edwin Sanchez, and Steven Rathjen. (ECF No. 54.)

Additionally, defense counsel identified the two female officers who were present during the July 11, 2018 search at Plaintiff's apartment as: Rosanna Espinal and Judy Biondolillo. *Id.*

Defense counsel provided the individual officers addresses for service in that response. *Id.*

Plaintiff did not provide any information about the officers who searched his apartment on or about February 25, 2019 because he did not see either of these alleged searches occur. As such, Defendant has no way of confirming whether any officers entered Plaintiff's apartment or who those officers are.

The following addresses were provided for purposes of service of process:

Police Officer Nicholas Evangelista, Retired
New York City Police Department
1 Police Plaza
New York, NY 10007

Police Officer Julian Febres, Shield No. 21740
New York City Police Department
23rd Precinct
162 East 102nd Street
New York, NY 10029

Police Officer Christopher Bobell, Shield No. 9032
New York City Police Department
23rd Precinct

162 East 102nd Street
New York, NY 10029

Sergeant William Kelly, Shield No. 3073
New York City Police Department
23rd Precinct
162 East 102nd Street
New York, NY 10029

Police Officer Edwin Sanchez, Shield No. 11957
New York City Police Department
23rd Precinct
162 East 102nd Street
New York, NY 10029

Police Officer Steven Rathjen, Retired
New York City Police Department
One Police Plaza
New York, NY 10038

Police Officer Rosanna Espinal, Shield No. 23019
New York City Police Department
23rd Precinct
162 East 102nd Street
New York, NY 10029

Sergeant Judy Biondolillo, Shield No. 3229
New York City Police Department
Housing Bureau P.S.A. #5
221 East 123rd Street
New York, NY 10035

The Clerk of Court is requested to mail a copy of this order to the Plaintiff.

SO ORDERED.

Dated: September 16, 2021
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge

The Clerk of Court is requested to mail a copy

of this order to:

Curtis McDaniel

DIN # 20-A-0242

Bare Hill Correctional Facility

Caller Box 20

181 Brand Road

Malone, NY 12953